



07-02-08

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UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: SHINTANI
Serial No.: 10/547532
Filed: August 31, 2005
Confirmation No.: 1634
Due Date: July 5, 2008
Title: MEDICINAL USE OF MIP-3 α INHIBITOR AND METHOD OF SCREENING BRAIN/NERVE CELL PROTECTIVE AGENT

Examiner: S.N. Macfarlane
Group Art: 1649
Docket: 20039.0001USWO
Notice of Allow Date: n/a

CERTIFICATE UNDER 37 C.F.R. 1.10

Express Mail mailing label number: EM 088199283 US

Date of Deposit: July 1, 2008

I hereby certify that the papers listed below are being deposited with the United States Postal Service Express Mail Post Office to Addressee service under 37 C.F.R. 1.10 in an envelope addressed to: Mail Stop Sequence, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: 

Name: Stephanie Samuel

Mail Stop Sequence
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

52835

PATENT TRADEMARK OFFICE

Sir:

The following papers are transmitted herewith:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Submission of Computer Readable Sequence Listing
- ☒ Computer readable form of a Sequence Listing and paper copy (13 pages). Applicants state that the paper copy of the Sequence Listing submitted herewith and the computer readable form submitted herewith, are the same.
- ☒ Copy of CRF Diskette Problem Report mailed June 5, 2008
- ☒ Verification Summary Report dated June 30, 2008
- ☒ Return Postcard

Please charge any additional fees or credit overpayment to Deposit Account No. 50-3478. A duplicate of this sheet is enclosed.

Hamre, Schumann, Mueller & Larson, P.C.
P.O. Box 2902 Minneapolis, MN 55402-0902
612.455-3800

By: 

Name: Douglas P. Mueller
Reg. No.: 30,300
Initials: DPM/pjk

(PTO TRANSMITTAL - GENERAL)



UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: SHINTANI
Serial No.: 10/547532
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/547,532	08/31/2005	Yasushi Shintani	20039.1USWO	1634

52835	7590	06/05/2008
HAMRE, SCHUMANN, MUELLER & LARSON, P.C.		
P.O. BOX 2902		
MINNEAPOLIS, MN 55402-0902		

EXAMINER	
MACFARLANE, STACEY NEE	

ART UNIT	PAPER NUMBER
1649	

MAIL DATE	DELIVERY MODE
06/05/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

RESPONSE DUE 7/5/2008
Resp. STAT: 12/5/2008

✓D



UNITED STATES DEPARTMENT OF COMMERCE
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Alexandria, Virginia 22313-1450

APPLICATION NO/ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10547532	8/31/2005	SHINTANI ET AL.	20039.1USWO

HAMRE, SCHUMANN, MUELLER & LARSON, P.C.
P.O. BOX 2902
MINNEAPOLIS, MN 55402-0902

EXAMINER

STACEY MACFARLANE

ART UNIT	PAPER
1649	20080528

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth below or on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures. A computer readable form (CRF) of the sequence listing was submitted. However, the CRF could not be processed by the Scientific and Technical Information Center (STIC) for the reason(s) set forth on the attached CRF Diskette Problem Report dated February 21, 2008.

Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the mailing date of this letter within which to comply with the sequence rules, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). In no case may an applicant extend the period for reply beyond the SIX MONTH statutory period. Direct the reply to the undersigned. Applicant is requested to return a copy of the attached CRF Diskette Problem Report with the reply.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to STACEY MACFARLANE whose telephone number is (571)270-3057. The examiner can normally be reached on M,W and ALT. F 6 am to 3 pm, T & R 5:30 am - 4 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Stucker can be reached on (571) 272-0911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John D. Ulm/
Primary Examiner, Art Unit 1649



=====

Sequence Listing could not be accepted due to errors.

See attached Validation Report.

If you need help call the Patent Electronic Business Center at (866) 217-9197 (toll free).

Reviewer: Anne Corrigan

Timestamp: [year=2008; month=1; day=25; hr=17; min=43; sec=12; ms=958;]

=====

Reviewer Comments:

SEQUENCE LISTING

<110> SHINTANI et al.

<120> MEDICINAL USE OF MIP-3a INHIBITOR AND METHOD OF SCREENING
BRAIN/NERVE CELL PROTECTIVE AGENT

The above <120> response exceeds the Sequence Rules' required 72-character limit per line (this includes white spaces). Please insert a hard return after "SCREENING."

<210> 5
<211> 291
<212> DNA
<213> Mus musculus

<220>
<221> CDS
<222> (1)..(291)
<223>

<220>
<221> sig_peptide
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<220>
<221> mat_peptide
<222> (82)..()

<223>

<400> 5

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Met Ala Cys Gly Gly Lys Arg Leu Leu Phe Leu Ala Leu Ala Trp Val	
-25 -20 -15	
ctg ctg gct cac ctc tgc agc cag gca gaa gca gca agc aac tac gac	96
Leu Leu Ala His Leu Cys Ser Gln Ala Glu Ala Ala Ser Asn Tyr Asp	
-10 -5 -1 1 5	
tgt tgc ctc tcg tac ata cag acg cct ctt cct tcc aga gct att gtg	144
Cys Cys Leu Ser Tyr Ile Gln Thr Pro Leu Pro Ser Arg Ala Ile Val	
10 15 20	
ggt ttc aca aga cag atg gcc gat gaa gct tgt gac att aat gct atc	192
Gly Phe Thr Arg Gln Met Ala Asp Glu Ala Cys Asp Ile Asn Ala Ile	
25 30 35	
atc ttt cac acg aag aaa aga aaa tct gtg tgc gct gat cca aag cag	240
Ile Phe His Thr Lys Lys Arg Lys Ser Val Cys Ala Asp Pro Lys Gln	
40 45 50	
aac tgg gtg aaa agg gct gtg aac ctc ctc agc cta aga gtc aag aag	288
Asn Trp Val Lys Arg Ala Val Asn Leu Leu Ser Leu Arg Val Lys Lys	
55 60 65	
atg	291
Met	

70 In the above last line, "70" is not properly aligned under "Met," the last amino acid. Same type of error in Sequence 7.

Validated By CRFValidator v 1.0.3

Application No: 10547532

Version No: 2.0

Input Set:

Output Set:

Started: 2008-01-17 13:20:25.407
Finished: 2008-01-17 13:20:35.219
Elapsed: 0 hr(s) 0 min(s) 9 sec(s) 812 ms
Total Warnings: 17
Total Errors: 25
No. of SeqIDs Defined: 21
Actual SeqID Count: 21

Error code	Error Description
E 201	Mandatory field data missing in <223> in SEQ ID (1)
E 201	Mandatory field data missing in <223> in SEQ ID (1)
E 201	Mandatory field data missing in <223> in SEQ ID (1)
E 201	Mandatory field data missing in <223> in SEQ ID (3)
E 201	Mandatory field data missing in <223> in SEQ ID (3)
E 201	Mandatory field data missing in <223> in SEQ ID (3)
E 201	Mandatory field data missing in <223> in SEQ ID (5)
E 201	Mandatory field data missing in <223> in SEQ ID (5)
E 201	Mandatory field data missing in <223> in SEQ ID (5)
W 112	Upper case found in data; Found at position(291) SeqId(5)
E 259	Found undefined lettercode; POS (293) SEQID(5)
E 254	The total number of bases conflicts with running total, Input: 70, Calculated : 294 SEQID(5)
E 253	The number of bases differs from <211> Input: 291 Calculated:294
E 201	Mandatory field data missing in <223> in SEQ ID (7)
W 112	Upper case found in data; Found at position(1122) SeqId(7)
E 259	Found undefined lettercode; POS (1124) SEQID(7)
W 112	Upper case found in data; Found at position(1125) SeqId(7)
E 259	Found undefined lettercode; POS (1127) SEQID(7)
W 112	Upper case found in data; Found at position(1128) SeqId(7)

Input Set:

Output Set:

Started: 2008-01-17 13:20:25.407
Finished: 2008-01-17 13:20:35.219
Elapsed: 0 hr(s) 0 min(s) 9 sec(s) 812 ms
Total Warnings: 17
Total Errors: 25
No. of SeqIDs Defined: 21
Actual SeqID Count: 21

Error code	Error Description
E 259	Found undefined lettercode; POS (1130) SEQID(7)
W 112	Upper case found in data; Found at position(1131) SeqId(7)
E 259	Found undefined lettercode; POS (1134) SEQID(7)
W 112	Upper case found in data; Found at position(1134) SeqId(7)
W 112	Upper case found in data; Found at position(1137) SeqId(7)
E 259	Found undefined lettercode; POS (1139) SEQID(7)
E 254	The total number of bases conflicts with running total, Input: 370, Calculated : 1140 SEQID(7)
E 253	The number of bases differs from <211> Input: 1122
E 201	Mandatory field data missing in <223> in SEQ ID (9)
W 213	Artificial or Unknown found in <213> in SEQ ID (11)
E 224	<220>,<223> section required as <213> has Artificial sequence or Unknown in SEQID (11)
W 213	Artificial or Unknown found in <213> in SEQ ID (12)
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W 402	Undefined organism found in <213> in SEQ ID (13)
E 201	Mandatory field data missing in <223> in SEQ ID (13)
W 402	Undefined organism found in <213> in SEQ ID (15)
E 201	Mandatory field data missing in <223> in SEQ ID (15)
W 213	Artificial or Unknown found in <213> in SEQ ID (16)
W 213	Artificial or Unknown found in <213> in SEQ ID (17)
W 213	Artificial or Unknown found in <213> in SEQ ID (18)
W 213	Artificial or Unknown found in <213> in SEQ ID (19)

Input Set:

Output Set:

Started: 2008-01-17 13:20:25.407
Finished: 2008-01-17 13:20:35.219
Elapsed: 0 hr(s) 0 min(s) 9 sec(s) 812 ms
Total Warnings: 17
Total Errors: 25
No. of SeqIDs Defined: 21
Actual SeqID Count: 21

Error code	Error Description
W 213	Artificial or Unknown found in <213> in SEQ ID (20)
W 213	Artificial or Unknown found in <213> in SEQ ID (21)

SEQUENCE LISTING

<110> SHINTANI et al.

<120> MEDICINAL USE OF MIP-3a INHIBITOR AND METHOD OF SCREENING BRAIN/NERVE CELL PROTECTIVE AGENT

<130> 20039.0001USWO

<140> 10547532

<141> 2008-01-17

<150> PCT/JP2004/002774

<151> 2004-03-04

<150> JP 2003-056885

<151> 2003-03-04

<150> JP 2003-106247

<151> 2003-04-10

<160> 21

<170> PatentIn version 3.1

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<212> DNA

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-25 -20 -15	
cta ctc cac ctc tgc ggc gaa tca gaa gca gca agc aac ttt gac tgc	96
Leu Leu His Leu Cys Gly Glu Ser Glu Ala Ala Ser Asn Phe Asp Cys	
-10 -5 -1 1 5	
tgt ctt gga tac aca gac cgt att ctt cat cct aaa ttt att gtg ggc	144
Cys Leu Gly Tyr Thr Asp Arg Ile Leu His Pro Lys Phe Ile Val Gly	
10 15 20	
ttc aca cgg cag ctg gcc aat gaa ggc tgt gac atc aat gct atc atc	192

Phe Thr Arg Gln Leu Ala Asn Glu Gly Cys Asp Ile Asn Ala Ile Ile
 25 30 35
 ttt cac aca aag aaa aag ttg tct gtg tgc gca aat cca aaa cag act 240
 Phe His Thr Lys Lys Lys Leu Ser Val Cys Ala Asn Pro Lys Gln Thr
 40 45 50
 tgg gtg aaa tat att gtg cgt ctc ctc agt aaa aaa gtc aag aac atg 288
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 55 60 65 70

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 <211> 96
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 <213> Homo sapiens

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 -10 -5 -1 1 5
 Cys Leu Gly Tyr Thr Asp Arg Ile Leu His Pro Lys Phe Ile Val Gly
 10 15 20
 Phe Thr Arg Gln Leu Ala Asn Glu Gly Cys Asp Ile Asn Ala Ile Ile
 25 30 35
 Phe His Thr Lys Lys Lys Leu Ser Val Cys Ala Asn Pro Lys Gln Thr
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 Trp Val Lys Tyr Ile Val Arg Leu Leu Ser Lys Lys Val Lys Asn Met
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 gct tac ctc tgc agc cag tca gaa gca gca agc aac ttt gac tgc tgc 96
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 -5 -1 1 5
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ttc aca aca cag atg gcc gac gaa gct tgt gac att aat gct atc atc	192		
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25	30	35	
ttt cac ctg aag tgc aaa aga tcc gtg tgc gct gac cca aag cag atc	240		
Phe His Leu Lys Ser Lys Arg Ser Val Cys Ala Asp Pro Lys Gln Ile			
40	45	50	55
tgg gtg aaa agg att ttg cac ctc ctc agc cta aga acc aag aag atg	288		
Trp Val Lys Arg Ile Leu His Leu Leu Ser Leu Arg Thr Lys Lys Met			
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Leu Thr Tyr Thr Lys Asn Val Tyr His His Ala Arg Asn Phe Val Gly	
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Phe Thr Thr Gln Met Ala Asp Glu Ala Cys Asp Ile Asn Ala Ile Ile	
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Trp Val Lys Arg Ile Leu His Leu Leu Ser Leu Arg Thr Lys Lys Met	
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<210> 5
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 <212> DNA
 <213> Mus musculus

<220>
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ctg ctg gct cac ctc tgc agc cag gca gaa gca gca agc aac tac gac	96
Leu Leu Ala His Leu Cys Ser Gln Ala Glu Ala Ala Ser Asn Tyr Asp	
-10	-5 -1 1 5

tgt tgc ctc tcg tac ata cag acg cct ctt cct tcc aga gct att gtg	144
Cys Cys Leu Ser Tyr Ile Gln Thr Pro Leu Pro Ser Arg Ala Ile Val	
10 15 20	
ggt ttc aca aga cag atg gcc gat gaa gct tgt gac att aat gct atc	192
Gly Phe Thr Arg Gln Met Ala Asp Glu Ala Cys Asp Ile Asn Ala Ile	
25 30 35	
atc ttt cac acg aag aaa aga aaa tct gtg tgc gct gat cca aag cag	240
Ile Phe His Thr Lys Lys Arg Lys Ser Val Cys Ala Asp Pro Lys Gln	
40 45 50	
aac tgg gtg aaa agg gct gtg aac ctc ctc agc cta aga gtc aag aag	288
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Met	70

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-10 -5 -1 1 5
Cys Cys Leu Ser Tyr Ile Gln Thr Pro Leu Pro Ser Arg Ala Ile Val
10 15 20
Gly Phe Thr Arg Gln Met Ala Asp Glu Ala Cys Asp Ile Asn Ala Ile
25 30 35
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Met
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Asp Tyr Phe Val Ser Val Asn Thr Ser Tyr Tyr Ser Val Asp Ser Glu	
20 25 30	
atg tta ctg tgc tcc ttg cag gag gtc agg cag ttc tcc agg cta ttt	144
Met Leu Leu Cys Ser Leu Gln Glu Val Arg Gln Phe Ser Arg Leu Phe	
35 40 45	

gta ccg att gcc tac tcc ttg atc tgt gtc ttt ggc ctc ctg ggg aat	192
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Ile Leu Val Val Ile Thr Phe Ala Phe Tyr Lys Lys Ala Arg Ser Met	
65 70 75 80	
aca gac gtc tat ctc ttg aac atg gcc att gca gac atc ctc ttt gtt	288
Thr Asp Val Tyr Leu Leu Asn Met Ala Ile Ala Asp Ile Leu Phe Val	
85 90 95	
ctt act ctc cca ttc tgg gca gtg agt cat gcc act ggt gcg tgg gtt	336
Leu Thr Leu Pro Phe Trp Ala Val Ser His Ala Thr Gly Ala Trp Val	
100 105 110	
ttc agc aat gcc acg tgc aag ttg cta aaa ggc atc tat gcc atc aac	384
Phe Ser Asn Ala Thr Cys Lys Leu Leu Lys Gly Ile Tyr Ala Ile Asn	
115 120 125	
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Phe Asn Cys Gly Met Leu Leu Leu Thr Cys Ile Ser Met Asp Arg Tyr	
130 135 140	
atc gcc att gta cag gcg act aag tca ttc cgg ctc cga tcc aga aca	480
Ile Ala Ile Val Gln Ala Thr Lys Ser Phe Arg Leu Arg Ser Arg Thr	
145 150 155 160	
cta ccg cgc agc aaa atc atc tgc ctt gtt gtg tgg ggg ctg tca gtc	528
Leu Pro Arg Ser Lys Ile Ile Cys Leu Val Val Trp Gly Leu Ser Val	
165 170 175	
atc atc tcc agc tca act ttt gtc ttc aac caa aaa tac aac acc caa	576
Ile Ile Ser Ser Ser Thr Phe Val Phe Asn Gln Lys Tyr Asn Thr Gln	
180 185 190	
ggc agc gat gtc tgt gaa ccc aag tac cag act gtc tgc gag ccc atc	624
Gly Ser Asp Val Cys Glu Pro Lys Tyr Gln Thr Val Ser Glu Pro Ile	
195 200 205	
agg tgg aag ctg ctg atg ttg ggg ctt gag cta ctc ttt ggt ttc ttt	672
Arg Trp Lys Leu Leu Met Leu Gly Leu Glu Leu Leu Phe Gly Phe Phe	
210 215 220	
atc cct ttg atg ttc atg ata ttt tgt tac acg ttc att gtc aaa acc	720
Ile Pro Leu Met Phe Met Ile Phe Cys Tyr Thr Phe Ile Val Lys Thr	
225 230 235 240	
ttg gtg caa gct cag aat tct aaa agg cac aaa gcc atc cgt gta atc	768
Leu Val Gln Ala Gln Asn Ser Lys Arg His Lys Ala Ile Arg Val Ile	
245 250 255	
ata gct gtg gtg ctt gtg ttt ctg gct tgt cag att cct cat aac atg	816
Ile Ala Val Val Leu Val Phe Leu Ala Cys Gln Ile Pro His Asn Met	
260 265 270	
gtc ctg ctt gtg acg gct gca aat ttg ggt aaa atg aac cga tcc tgc	864
Val Leu Leu Val Thr Ala Ala Asn Leu Gly Lys Met Asn Arg Ser Cys	
275 280 285	
cag agc gaa aag cta att ggc tat acg aaa act gtc aca gaa gtc ctg	912
Gln Ser Glu Lys Leu Ile Gly Tyr Thr Lys Thr Val Thr Glu Val Leu	
290 295 300	
gct ttc ctg cac tgc tgc ctg aac cct gtg ctc tac gct ttt att ggg	960
Ala Phe Leu His Cys Cys Leu Asn Pro Val Leu Tyr Ala Phe Ile Gly	
305 310 315 320	
cag aag ttc aga aac tac ttt ctg aag atc ttg aag gac ctg tgg tgt	1008
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VERIFICATION SUMMARY REPORT
PATENT APPLICATION

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TIME: 13:36:36

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GENERAL INFORMATION SECTION

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6, BRAIN/NERVE CELL PROTECTIVE AGENT
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13,<150> PCT/JP2004/002774
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Application File Date: 2005-08-31
Art Unit:
Software Application: PatentIN3.1
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Total Nucleotides: 6079
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Number of Errors: 0
Number of Warnings: 0
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